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DEC - 2, 2005

ROBERT H. SHERWELL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

LEE PIPKINS

CIVIL ACTION NO. 05-1180-LC

VS.

SECTION P

BURL CAIN, WARDEN

JUDGE ~~MINALDI~~ TRIMBLE

MAGISTRATE JUDGE WILSON

J U D G M E N T

For the reasons stated in the Findings and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for writ of *habeas corpus* is **DENIED AND DISMISSED WITH PREJUDICE** as time-barred by the one-year limitation period codified at 28 U.S.C. §2244(d) and because petitioner's claims are procedurally defaulted.

THUS DONE AND SIGNED, in chambers, in Lake Charles, Louisiana, on this 2nd day of December, 2005.


~~PATRICIA MINALDI~~ James T. Trimble, Jr.
UNITED STATES DISTRICT JUDGE